

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

HOWARD MILLER,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-07-362-T
)	
KAY ROE, DAVID PARKER and)	
DEBBIE MORTON,)	
)	
Defendants.)	


ORDER OF DISMISSAL

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Bana Roberts pursuant to 28 U.S.C. § 636(b)(1)(B)-(C) on May 11, 2007. Judge Roberts recommends dismissal of the case without prejudice due to Plaintiff's failure to pay the initial partial filing fee of \$3.42 as required by the Order of April 2, 2007. Plaintiff has neither filed a timely objection to the Report nor requested additional time to object.

Due to the failure to object, the Court finds Plaintiff has waived further review of the Report. For this reason, and because the initial filing fee remains unpaid, the Court concurs in Judge Roberts' findings and recommendation.

Therefore, the Court adopts the Report and Recommendation [Doc. 7] in its entirety. The case is DISMISSED without prejudice to refiling for failure to pay the required fee.

IT IS SO ORDERED this 8th day of June, 2007.



RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE